

4/6/2017

Office of the Judge Advocate General
OJAG Code 14
1322 Patterson Avenue SE Suite 3000
Washington Navy Yard, DC 20374-5066

To whom it may concern:

I write this letter to appeal some redactions made to documents provided to me on April 3, 2017, by the Staff Judge's Office of the Navy Recruiting Command in reference to a FOIA request I sent to the office on March 7, 2017. The request is attached.

On April 3, 2017, Michael Hogan provided me with documents pursuant to my request, but informed me that some information had been withheld under exemption (b)(6) because it would "constitute a clearly unwarranted invasion of an individual's personal privacy." I've also attached this response.

First, I want to say that I appreciate Mr. Hogan's effort in processing the request and providing me with documents. Still, I think some redactions were made inappropriately, especially those that involve the withholding of the names of military personnel against whom claims of misconduct were substantiated.

The release of the names of people against whom claims have been substantiated does not "constitute a clearly unwarranted invasion of an individual's personal privacy." It merely protects the person, and the Navy, from embarrassment, which is not the purpose of the exemption.

Furthermore, by withholding these people's names, it is impossible for me to determine whether any of them are repeat offenders of recruiting rules. It also makes it incredibly difficult for me to determine whether they have been adequately disciplined for their violations.

I do not draw issue with the redaction of the names of complainants, their Social Security numbers or signatures.

I urge you to compel the office to release all required information pursuant to the Freedom of Information Act.

Sincerely,

Christopher Collins
Investigative journalist
collinsreports.com
325-261-3910
940-631-1828
758 Diamond Lake Dr.
Abilene, TX 79601

RECEIVE BY (PRINT):

DATE REC.

Signature:

Wendy Winston

4/19/17





Christopher Collins <collinsreports@gmail.com>

Freedom of Information Act

Hogan, Michael J CIV CNRC MILLINGTON, TN, N00 <michael.j.hogan1@navy.mil>

Mon, Apr 3, 2017 at 11:23 AM

To: "collinsreports@gmail.com" <collinsreports@gmail.com>

Cc: "D'Arco, Neil LCDR CNRC MILLINGTON, TN, 00J" <neil.darco@navy.mil>

Mr. Collins,

This letter is responsive to your Freedom of Information Act (FOIA) request, which was dated March 7, 2017. You requested copies of all complaints made that are substantiated in 2016 for Navy recruiting impropriety cases that are classified as "concealment or falsification," "false promise/coercion," and "misconduct".

After a thorough search of our files, all responsive documents have been downloaded to AMRDEC Safe Access File Exchange, which you should receive an email notice with instructions on how to download. Due to the size of the electronic file of your responsive documents, this was the quickest and most efficient way for you to receive them.

Your request has been processed under the Freedom of Information Act. The records pertaining to your request are submitted with this request electronically except for redacted portions. The redactions are exempt from disclosure under FOIA exemption [(b)(6)], as the release of such information would constitute a clearly unwarranted invasion of an individual's personal privacy.

Because your request has been partially denied, you are advised of your right to appeal this determination in writing to the Office of the Judge Advocate General, OJAG Code 14, 1322 Patterson Avenue SE Suite 3000, Washington Navy Yard, DC 20374-5066.

If an appeal is deemed necessary, it must be received in that office within 60 calendar days from the date of this letter, in order to be considered. To expedite an appeal, you should enclose a copy of this letter and a copy of the original request along with a statement regarding why your appeal should be granted. The letter of appeal and the envelope should bear the notation, "FOIA/PA APPEAL." I am the official responsible for the denial of your request.

No assessable fees were incurred during the processing of your request by this command.

Should you wish to discuss this matter, you may contact our office at (901) 874-9111.

Sincerely,

Michael Hogan
Office Manager
GS-09 Supervisory Paralegal Specialist
Staff Judge Advocate's Office
Navy Recruiting Command
(901) 874-9111





Christopher Collins <collinsreports@gmail.com>

FOIA request - recruiting improprieties summaries

Christopher Collins <collinsreports@gmail.com>

Tue, Mar 7, 2017 at 7:52 AM

To: DONFOIA-PA@navy.mil

To Whom It May Concern:

This is a request under the Freedom of Information Act. I hereby request the following records:

Copies of complaints made in substantiated 2016 Navy recruiting impropriety cases classified as "concealment or falsification," "false promise/coercion," and "misconduct." Documents show that 12 such cases had been substantiated earlier this year, though that number could be higher now.

I have attached a spreadsheet regarding these cases. If the term "complaint" does not turn up a responsive record in this request, please search for a record that serves as a summary or synopsis of the cases.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

Christopher Collins
Investigative journalist
collinsreports.com
325-261-3910
940-631-1828
758 Diamond Lake Dr.
Abilene, TX 79601

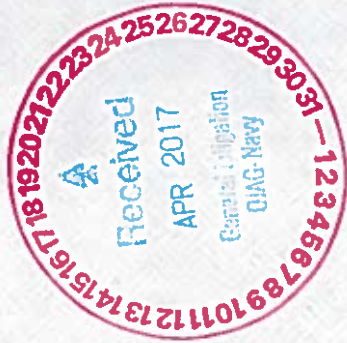


Navy recruiting improprieties 2015-2016.pdf

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Advocate General

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